PTO/SB/30(98-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## REQUEST FOR CONTINUED EXAMINATION (RCE) **TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/746,341		
Filing Date December 22, 200	00	
First Named Inventor <u>James M.</u>	Cleeves	-
Group Art Unit 2827		
Examiner Name Cruz, Lourde	<u>98 U</u>	
Attorney Docket No. 003558P0	118	
	07.0 E.D. 04.444	
1. Submission required unde	er 37 C.F.H. § 1.114	E.
a. [ ] Previously subr	mitted	盖
	e amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on amendment(s) referred to above will be entered).	DEC
ii. [ ] Consider the	arguments in the Appeal Brief or Reply Brief previously filed on	
iii. [ ] Other		6 8
		řń
b. [X] Enclosed	A des a a 4	2002
i. [X] Preliminary A		ES X
ii. [ ] Affidavit(s)/D	Declaration(s)	₽.
iii. [ ] Information [	Disclosure Statement (IDS)	80
iv. [ ] Other		0
a. [X] The Director is Deposit Accou	F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed. s hereby authorized to charge the following fees, or credit any overpa unt No. <u>02-2666</u> quired under 37 C.F.R. § 1.17(e)	ayments, to
i. [X] HCE fee red	quired under 67 611 711 3 444 (4)	
ii. [ ] Extension of ti	ime fee (37 C.F.R. §§ 1.136 and 1.17)	
ii. [ ] Extension of to [X] Pursuant to 3 Patent and To a petition for		me for the on of time
ii. [ ] Extension of ti [X ] Pursuant to 3 Patent and Ti a petition for appropriate I fees and fees	ime fee (37 C.F.R. §§ 1.136 and 1.17)  37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize to rademark Office to (1) treat any concurrent or future reply that receives extension of time as incorporating a petition for extension of time length of time and (2) charge all required fees, including extensions under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.	me for the on of time
ii. [ ] Extension of ti  [X ] Pursuant to 3  Patent and Tr a petition for appropriate I fees and fees  iii. [ ] Processing iv. [X ] Other Fee	ime fee (37 C.F.R. §§ 1.136 and 1.17)  37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize to rademark Office to (1) treat any concurrent or future reply that receives extension of time as incorporating a petition for extension of time length of time and (2) charge all required fees, including extensions under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.	me for the on of time
ii. [ ] Extension of ti  [X ] Pursuant to 3  Patent and Ti a petition for appropriate I fees and fees  iii. [ ] Processing iv. [X ] Other Fee  b. [X] Check in the color of th	ime fee (37 C.F.R. §§ 1.136 and 1.17)  37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize t rademark Office to (1) treat any concurrent or future reply that re extension of time as incorporating a petition for extension of tilength of time and (2) charge all required fees, including extensions under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.  If fee under 37 CFR § 1.17(i) for Limited Suspension of Action to Transmittal  amount of \$ 740.00 enclosed	me for the on of time
ii. [ ] Extension of ti  [X ] Pursuant to 3  Patent and To a petition for appropriate lo fees and fees  iii. [ ] Processing iv. [X ] Other Fee  b. [X] Check in the	ime fee (37 C.F.R. §§ 1.136 and 1.17)  37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize to rademark Office to (1) treat any concurrent or future reply that receptors in the extension of time as incorporating a petition for extension of time and (2) charge all required fees, including extensions under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.  The fee under 37 CFR § 1.17(i) for Limited Suspension of Action to Transmittal  The fee under 37 CFR § 1.17(i) and 1.17(i) for Limited Suspension of Action to Transmittal  The fee under 37 CFR § 1.17(i) and 1.17(i) for Limited Suspension of Action to Transmittal  The fee under 37 CFR § 1.17(i) and 1.17(i) for Limited Suspension of Action to Transmittal  The fee under 37 CFR § 1.17(i) and 1.17(i) for Limited Suspension of Action to Transmittal	me for the on of time

10/04/01

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED				
	Registration No. (Attorney/Agent) 35,934  Date 2 / / / O 2			
CERTIFICATE OF MAILING OR TRANMISSION				
I hereby certify that this correspondence is being deposited with t postage as first class mail in an envelope addressed to: Commis 20231, or facsimile transmitted to the U.S. Patent and Trademark	sioner For Patents, Box RCE, Washington, D.C.			
Name (Print/Type) Teresa Edwards Signature Teresa Edwards	Date December 11, 2002			

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Gaz. r	at. Office 47	(Apr. 11, 2000), which established NOL plactice.
Filing First I Group Exam	Named Inve o Art Unit niner Name	09/746,341 December 22, 2000 Entor _James M. Cleeves 2827
:	a. [ ] i. [ ii. [ iii. [ b. [X] i. [X ii. [ iii. [ iii. [ iv. [	Previously submitted  Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).  Consider the arguments in the Appeal Brief or Reply Brief previously filed on Other  Enclosed  Preliminary Amendment  Affidavit(s)/Declaration(s)  Information Disclosure Statement (IDS)  Other
	Miscellane a. [ ] b. [ ]	Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months.(Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)  Other
	a. [X]	CE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No02-2666  RCE fee required under 37 C.F.R. § 1.17(e)
	ii.[ ] [X ]	Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)  Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S.  Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.
		Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action  Other Fee Transmittal  Check in the amount of \$ 740.00 enclosed  Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type) Michael A. Bernadicou Signature W Le	Registration No. (Attorney/Agent) 35,934  Date /2///03		
CERTIFICATE OF MAILING OR TRANMISSION			
I hereby certify that this correspondence is being deposited will postage as first class mail in an envelope addressed to: Compactally, or facsimile transmitted to the U.S. Patent and Tradem	missioner For Patents, Box RCE, Washington, D.C.		
Name (Print/Type) Teresa Edwards			
	Date December 11, 2002		

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